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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: GERRIT H. SOEPENBERG ET AL.

Serial No.: 09/329,391

Filed: June 10, 1999

For: TRANSMISSION SYSTEM

Group No.: 2662

Examiner: Dmitry Levitan

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The undersigned hereby certifies that the following documents:

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Sir:

APPELLANTS' REPLY BRIEF UNDER 37 C.F.R. §1.193

This Appellants' Reply Brief Under 37 C.F.R. § 1.193 is filed in response to the Examiner's

Answer, which was mailed on April 22, 2003. This Reply Brief is transmitted in triplicate.

Arguments in Response to the Examiner's Answer

First, *Wasilewski* fails to anticipate the use of an “object” as recited in the claims. The Examiner asserts that the term “object” can be interpreted as “a piece of data” and cites a new reference as allegedly teaching this definition. (*Examiner's Answer, Page 4, Paragraph 11*). The Appellants respectfully note that the reference cited by the Examiner does not define an “object” as merely a “piece of data.” Instead, the reference recites that an “object” can be a piece of data “defined by the operations performed on it.” (*IEEE 100 – The Authoritative Dictionary of IEEE Standards Terms, page 752, definition (3) of “object”*).

The Examiner relies on an Elementary Stream Definition (element 80) in a Program Map Table (element 68) of *Wasilewski* as anticipating the “object” recited in the claims. (*Examiner's Answer, Page 3, Paragraph 10*). However, the Examiner fails to show that the Elementary Stream Definition in *Wasilewski* is “defined” by the “operations performed on it.” In fact, the Examiner fails to identify any operations “performed on” the Elementary Stream Definition or how the Elementary Stream Definition is “defined” in *Wasilewski*. Because the Examiner is unable to show that the Elementary Stream Definition in *Wasilewski* is “defined” by the “operations” performed on the Elementary Stream Definition, the Examiner cannot show that *Wasilewski* anticipates the use of an “object” as recited in the claims.

Second, *Wasilewski* fails to anticipate extracting “objects” from a “multiplex signal” based on “module related information” contained in the multiplex signal. The Examiner asserts that “program numbers” in *Wasilewski* are used to identify and extract “stream Packet IDs” from the

Elementary Stream Definitions in the Program Map Table. (*Examiner's Answer, Page 5, First paragraph*).

The Program Map Table relied upon by the Examiner is transported from a transmitter and stored by a receiver. The receiver then uses the stored Program Map Table to extract packets for a particular program from MPEG-2 streams. (*Col. 2, Line 63 – Col. 3, Line 22*).

The Examiner's reliance on the retrieval of "stream Packet IDs" from the Program Map Table using "program numbers" is improper. When the stream Packet IDs are retrieved using the program numbers, the Program Map Table has already been received and stored by the receiver. In other words, the stream Packet IDs are being retrieved from a table stored in memory at the receiver, rather than being extracted from a "multiplex signal."

While the Program Map Table in *Wasilewski* may have been previously extracted from MPEG-2 streams, the stream Packet IDs are retrieved after the table has been extracted from the MPEG-2 streams. In effect, the Examiner is asserting that using a program number to retrieve information from a previously-extracted table anticipates using "module related information" in a "multiplex signal" to extract objects from the "multiplex signal." Because of this, the retrieval of information from the Program Map Table in *Wasilewski* cannot anticipate extracting "objects" from a "multiplex signal." The Examiner cannot show that *Wasilewski* anticipates extracting "objects" from a "multiplex signal" based on "module related information" contained in the multiplex signal.

For the foregoing reasons, the Appellant respectfully requests that the final rejection of Claims 1-8 be withdrawn and that Claims 1-8 be allowed.

CONCLUSION

For the reasons given above, the Appellants respectfully request reconsideration and allowance of the claims and that this patent application be passed to issue.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

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